

IFw

21

BRINKS
HOFFER
GILSON
& LIONE

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on the below date:

Date: February 23, 2007 Name: Tadashi Horie (Reg. No. 40,437) Signature:

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: Makoto SOGA et al.
Appln. No.: 10/761,663
Filed: January 20, 2004
For: COMMUNICATION SYSTEM, MOBILE
COMMUNICATION NETWORK,
CONTENTS SERVER, PROGRAM
AND RECORDING MEDIUM

Examiner: Rego, Dominic E

Art Unit: 2618

Attorney Docket No: 9683/164

Mail Stop Amendment
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL

Sir:

Attached is/are:

- ☒ Transmittal (in duplicate); Third Supplemental Information Disclosure Statement; Form PTO-1449; Copy of References (D2-D4); Copy of Japanese Office Action (D5)
☒ Return Receipt Postcard

Fee calculation:

- ☒ No additional fee is required.
☐ Small Entity.
☐ An extension fee in an amount of \$_____ for a _____-month extension of time under 37 C.F.R. § 1.136(a).
☐ A petition or processing fee in an amount of \$_____ under 37 C.F.R. § 1.17(____).
☐ An additional filing fee has been calculated as shown below:

					Small Entity			Not a Small Entity	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Add'l Fee	or	Rate	Add'l Fee
Total		Minus			x \$25=			x \$50=	
Indep.		Minus			x 100=			x \$200=	
First Presentation of Multiple Dep. Claim					+\$180=			+\$360=	
					Total	\$		Total	\$

Fee payment:

- ☐ A check in the amount of \$_____ is enclosed.
☐ Please charge Deposit Account No. 23-1925 in the amount of \$_____. A copy of this Transmittal is enclosed for this purpose.
☐ Payment by credit card in the amount of \$_____ (Form PTO-2038 is attached).
☒ The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

Respectfully submitted,

February 23, 2007
Date

Tadashi Horie (Reg. No. 40,437)



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: Makoto SOGA et al.

Appln. No.: 10/761,663

Filed: January 20, 2004

For: COMMUNICATION SYSTEM,
MOBILE COMMUNICATION
NETWORK, CONTENTS
SERVER, PROGRAM AND
RECORDING MEDIUM

Examiner: Rego, Dominic E

Art Unit: 2618

Attorney Docket No: 9683/164

THIRD SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

In accordance with the duty of disclosure under 37 C.F.R. §1.56 and §§1.97-1.98, and more particularly in accordance with 37 C.F.R. §1.97(c), Applicant hereby cites the following references:

DOCUMENT NUMBER <small>Number-kind Code (if known)</small>	DATE	NAME
2004/0093253	May 13, 2004	Iijima

FOREIGN DOCUMENTS

DOCUMENT NUMBER <small>Number-Kind Code (if known)</small>	DATE	COUNTRY
JP 2001-285916	Oct. 12, 2001	JPO
JP 2001-291021	Oct. 19, 2001	JPO
WO 02/091262	Nov. 14, 2002	WIPO

OTHER DOCUMENTS

Japanese Office Action mailed December 12, 2006

Applicant is enclosing Form PTO-1449 (one sheet), along with a copy of each listed reference for which a copy is required under 37 C.F.R. §1.98(a)(2). Reference D5

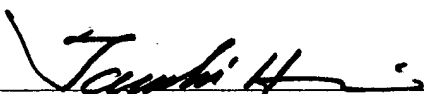
is an Office Action issued in the counterpart Japanese application. References D2-4 were cited in the Japanese Office Action. References D2-4 are in Japanese. Applicant is submitting an English translation for each of References D2 and D3. For Reference D4, Applicant is submitting Reference D1, which is the U.S. counterpart of Reference D4. Applicant respectfully requests the Examiner's consideration of the above references and entry thereof into the record of this application.

By submitting this Statement, Applicant is attempting to fully comply with the duty of candor and good faith mandated by 37 C.F.R. §1.56. As such, this Statement is not intended to constitute an admission that any of the enclosed references, or other information referred to therein, constitutes "prior art" or is otherwise "material to patentability," as that phrase is defined in 37 C.F.R. §1.56(a).

Applicant certifies under 37 C.F.R. §1.97(e)(1) that each item of information in this Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement. Accordingly, Applicant has calculated no fee to be due in connection with the filing of this Statement. However, the Director is authorized to charge any fee deficiency associated with the filing of this Statement to a deposit account, as authorized in the Transmittal accompanying this Statement.

Respectfully submitted,

February 23, 2007
Date


Tadashi Horie (Reg. No. 40,437)

BRINKS HOFER GILSON & LIONE
P.O. Box 10395
Chicago, IL 60610
(312) 321-4200



FORM PTO-1449	SERIAL NO. 10/761,663	CASE NO. 9683/164
LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT	FILING DATE January 20, 2004	GROUP ART UNIT 2681
(use several sheets if necessary)	APPLICANT(S): Makoto SOGA et al.	

REFERENCE DESIGNATION**U.S. PATENT DOCUMENTS**

EXAMINER INITIAL		DOCUMENT NUMBER <small>Number-Kind Code (if known)</small>	DATE	NAME	CLASS/ SUBCLASS	FILING DATE
	D1	2004/0093253	May 13, 2004	Iijima		

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER <small>Number-Kind Code (if known)</small>	DATE	COUNTRY	CLASS/ SUBCLASS	TRANSLATIO N YES OR NO
	D2	JP 2001-285916	Oct. 12, 2001	JPO		Yes
	D3	JP 2001-291021	Oct. 19, 2001	JPO		Yes
	D4	WO 02/091262	Nov. 14, 2002	WIPO		US2004/0093 253

EXAMINER INITIAL	OTHER ART – NON PATENT LITERATURE DOCUMENTS (Include name of author, title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date page(s), volume-issue number(s), publisher, city and/or country where published.)	
	D5	Japanese Office Action mailed December 12, 2006

EXAMINER	DATE CONSIDERED
----------	-----------------

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.